

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TRANSMETA CORPORATION,)	
)	
Plaintiff,)	
)	
)	
v.)	C.A. No.06-633 (GMS)
)	
INTEL CORPORATION,)	REDACTED
)	PUBLIC VERSION
Defendant.)	

DECLARATION OF RICHARD A. BELGARD

MORRIS, NICHOLS, ARSHT & TUNNELL
Jack B. Blumenfeld (#1014)
Karen Jacobs Loudon (#2881)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
Attorneys for plaintiff Transmeta Corporation

OF COUNSEL:

Robert C. Morgan
Laurence S. Rogers
Steven Pepe
ROPES & GRAY LLP
1251 Avenue of the Americas
New York, NY 10020
(212) 596-9000

Norman H. Beamer
ROPES & GRAY LLP
525 University Avenue
Palo Alto, CA 94301
(650) 617-4000

Original Filing Date: August 17, 2007
Redacted Filing Date: August 20, 2007

I, RICHARD A. BELGARD, declare

1. I have personal knowledge of the matters set forth in this declaration and if called to testify I could and would competently testify to them.

2. I have been active in the computer industry for over 30 years. During this period, I have designed and/or managed development of computer hardware, software and firmware at Burroughs Corporation (now UNISYS), Data General (now part of EMC), Tandem Computers (now part of Hewlett Packard) and Rational Software (now part of IBM).

3. I received a Bachelor of Arts degree in Computer Science (1973) and a Master of Science degree in Electrical Engineering and Computer Science (1974) from the State University of New York at Buffalo. I attended the University of Utah in pursuit of a Ph.D. in Computer Science, and completed all necessary course work, but I chose to join Data General before completing my dissertation.

4. In 1975, I was appointed a Lecturer in Computer Science at the University of California at Santa Barbara, where I taught a graduate sequence in computer architecture. During this same time period, I also worked on the design of a minicomputer at Burroughs Corporation.

5. I am now an independent consultant in the computer industry. I consult primarily with professional and prospective investors, large and small computer companies, and law firms. As an independent consultant, I have contributed to the design of at least four microprocessors, and additional microprocessor chipsets. I have also acted as both a consultant and expert in patent, copyright, and trade-secret litigation.

6. I am, and have been a contributing editor of The Microprocessor Report, an award-winning computer industry publication since 1988. I am a Fellow of the Institute of Electrical and

Electronic Engineers (IEEE). I have been a member of the Association for Computing Machinery (ACM) since 1974.

7. I have experience in the field of microprocessors and personal computers. In addition to many others, I have consulted or currently consult to: AT&T, Broadcom, Chips and Technologies, Dell, EMachines, NCR Corporation, NEC Corporation, Micron Technology, Packard Bell – NEC, Palm Computing, Research In Motion, Transmeta Corporation, United Microelectronics Corporation, VIA Technologies and Xerox Corporation.

8. I am the sole inventor on US 5,895,503, US 6,226,733, US 6,430,668, and US 6,813,699 (together, the “Speculative Address Translation”) patents-in-suit.

9. [REDACTED]

[REDACTED]

10. Generally, the Crawford ‘338 Patent (and its successor, US 5,321,836) calls for a segmentation function that contains no information about paging, and a paging function that contains no information about segmentation. According to the specifications, “[t]he two mechanisms are completely separate and independent.”

11. The Intel case against Cyrix over the Crawford ‘338 Patent went to trial in November 1993. I followed the progress of that trial closely. [REDACTED]

[REDACTED]

12. I worked on the scheme and exemplary circuitry to implement it. I then wrote a patent specification, and, with my patent attorney, Nicholas Gross, filed an application for a U.S. patent on June 2, 1995. This application formed the basis for the Speculative Address Translation patents, the first of which, US 5,895,503, issued on April 20, 1999.

13. [REDACTED]

[REDACTED]

14. [REDACTED]

[REDACTED]

15. [REDACTED]

[REDACTED]

[REDACTED]

16. [REDACTED]

[REDACTED]

17. [REDACTED]

[REDACTED]

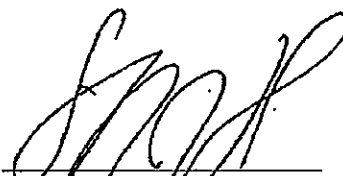
18. [REDACTED]

[REDACTED]

19. On February 9, 2001, I entered into a contract with Transmeta for the purchase of the portfolio. [REDACTED]

[REDACTED]

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of July 2007, at Saratoga, California.


Richard A. Belgard

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on August 20, 2007, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Josy W. Ingersoll

I also certify that copies were caused to be served on August 20, 2007, upon the following in the manner indicated:

BY HAND

Josy W. Ingersoll
John W. Shaw
YOUNG, CONAWAY, STARGATT & TAYLOR, LLP
The Brandywine Building
1000 West Street, 17th Flr.
Wilmington, DE 19801

BY EMAIL

Steven S. Cherensky
Jessica L. Davis
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065

/s/ Richard J. Bauer (#4828)

Richard J. Bauer (#4828)

EXHIBIT A

Financial Times, 3/30/92

Intel files patent suit to block Cyrix challenge

By Louise Kehoe
In San Francisco

INTEL, the largest US semiconductor maker, has preempted another challenge to its dominance of the market for personal computer microprocessors. It has filed a patent infringement suit against Cyrix, a small Texas company, that is today announcing its own version of one of Intel's widely-used microprocessors.

Anticipation of the Cyrix announcement fuelled a sharp decline in Intel's stock price last week.

Even before seeing the Cyrix chip, Intel filed a suit charging Cyrix with infringing four patents that protect Intel's microprocessor technology. Intel said its claims were based on information gleaned from financial analysts' comments.

"We do not believe that it is possible to produce a chip that is compatible with our 386 microprocessor without infringing our patents," said Mr Thomas Dunlap, Intel general counsel. Intel is seeking a

preliminary injunction to prevent Cyrix from selling its microprocessor chip.

Until last year, Intel held a virtual monopoly in the market for the microprocessors that form the brains of IBM-compatible personal computers. Then Advanced Micro Devices (AMD) and Chips & Technologies, two Silicon Valley competitors, entered the field with their own versions of the Intel 386.

Intel has filed suit against all of its would-be competitors, but has yet to win an injunction to prevent them from selling the look-alike chips.

Intel is already involved in a legal dispute with Cyrix over the Texas company's earlier product, a version of Intel's 387 co-processor, a device that works alongside the 386 to speed mathematical calculations.

On Saturday, Mr Jerry Rogers, president of Cyrix, when informed of the new Intel suit, said the action represented a "frivolous lawsuit that amounts to legal harassment".

EXHIBIT B

REDACTED

EXHIBIT C

REDACTED